

1055
VIRGINIA:

BOOK 633 PAGE 0001

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER

VGOB 04-1214-1366

ELECTIONS: UNIT BD-122

(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on June 15, 2005 which was recorded at Deed Book 633, Page 733 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on June 22, 2005, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit BD-122;

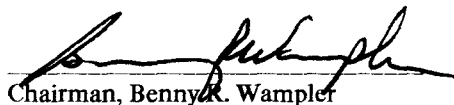
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, Wachovia Bank, Corporate Trust PA1328, 123 Broad Street, Philadelphia, PA 19109-1199, Attn: Rachel Rafferty or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 8th day of August, 2006, by a majority of the Virginia Gas and Oil Board.


Chairman, Benny R. Wampler

STATE OF VIRGINIA

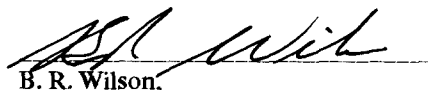
COUNTY OF ~~WISE~~

Washington 8th day of August, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared Benny R. Wampler, being duly sworn did depose and say that he is Chairman of the Virginia Gas and Oil Board, that he executed the same and was authorized to do so.


~~Susan G. Garrett~~
Notary

My commission expires: 7/30/09.

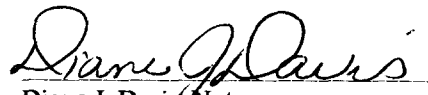
DONE AND PERFORMED THIS 8th day of August, 2006, by Order of the Board.


B. R. Wilson,
Principal Executive to the Board

STATE OF VIRGINIA

COUNTY OF WASHINGTON

Acknowledged on this 8th day of August, 2006, personally before me a notary public in and for the Commonwealth of Virginia, appeared B. R. Wilson, being duly sworn did depose and say that he is Director of the Division of Gas & Oil Board and Principal Executive to the Board, that he executed the same and was authorized to do so.


Diane J. Davis, Notary

My commission expires: 9/30/09.

VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit BD-122
VGOB 04-1214-1366 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING ELECTIONS,
ESCROW AND SUPPLEMENTAL ORDER

Leslie K. Arrington, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Manager – Environmental Permitting and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on June 15, 2005, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on June 22, 2005;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of June 15, 2005;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

See attached Exhibit B-2

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

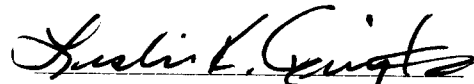
None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

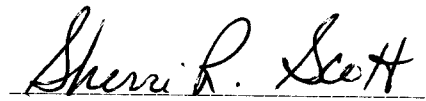
See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Tazewell, Virginia, this 6th day of July, 2006.


Leslie K. Arrington

Taken, subscribed and sworn to before me by Leslie K. Arrington as a Manager - Environmental / Permitting for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 6th day of July, 2006.


Notary

My commission expires: 11-30-09.

PROPERTY LINES SHOWN WERE TAKEN FROM MAPS PROVIDED BY CNX LAND RESOURCES, Inc. AND WERE NOT SURVEYED.

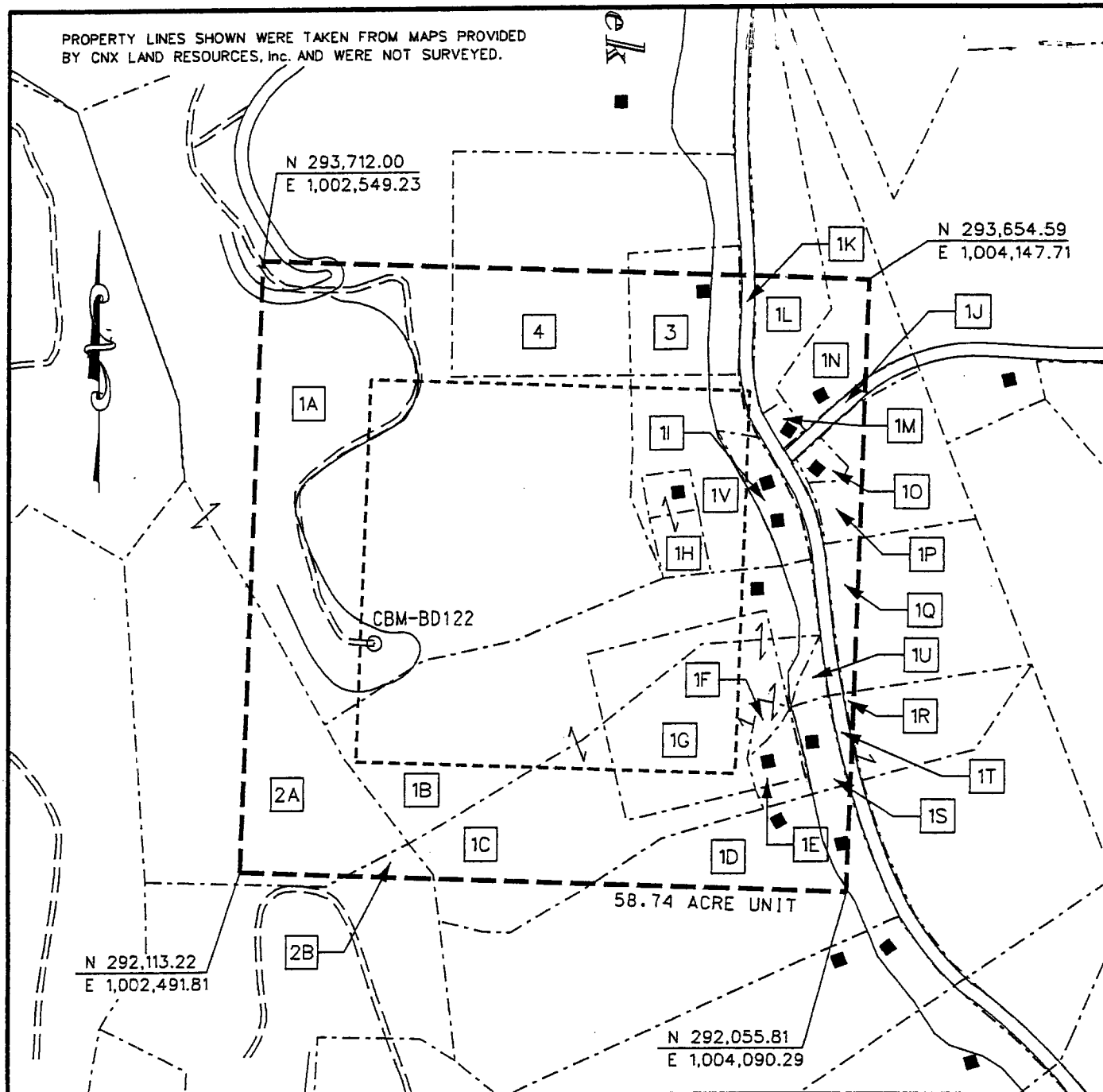


EXHIBIT A
MIDDLE RIDGE 1 FIELD
UNIT BD-122
FORCE POOLING
VGOB-04-1214-1366

Company CNX Gas Company LLC Well Name and Number UNIT BD-122
Tract No. _____ Elevation _____ Quadrangle Shonaker
County Russell District New Garden Scale: 1" = 400' Date 11/11/04
This plat is a new plat X ; an updated plat _____ ; or final plat _____

Form DGO-GO-7
Rev. 9/91

Claude D. Meyer
Licensed Professional Engineer or Licensed Land Surveyor

No. 10958
PLAT No. _____

CNX Gas Company LLC**Unit BD-122****Tract Identifications****(58.74 Acre Unit)**

- 1A. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Ruth Byrd, et al. - Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
20.25 acres 34.4740%
- 1B. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
John B. Farmer, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
7.74 acres 13.1767%
- 1C. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
John B. Farmer, et ux - Surface and All Minerals except Coal
CNX Gas Company LLC - Oil, Gas and CBM Leased
3.79 acres 6.4522%
- 1D. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Timothy Chafins, et ux - Surface and All Minerals except Coal
2.52 acres 4.2901%
- 1E. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Amos Farmer, et ux - Surface and All Minerals except Coal
0.59 acres 1.0044%
- 1F. John B. Farmer, et ux - Fee
CNX Gas Company LLC - Oil, Gas and CBM Leased
0.18 acres 0.3064%

CNX Gas Company LLC**Unit BD-122****Tract Identifications****(58.74 Acre Unit)**

- 1G. John B. Farmer, et ux – Fee
CNX Gas Company LLC – Oil, Gas and CBM Leased
4.38 acres 7.4566
- 1H. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Daniel Tucker – Surface and All Minerals except Coal
CNX Gas Company, LLC - Oil, Gas and CBM Leased
0.81 acres 1.3790%
- 1I. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Delora Elkins, et al – Surface and All Minerals except Coal
0.75 acres 1.2768%
- 1J. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Rosa Plaster, et al – Surface and All Minerals except Coal
0.24 acres 0.4086%
- 1K. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Lucinda Plaster OR Commonwealth of Virginia - All Minerals except Coal
Commonwealth of Virginia – Surface
1.05 acres 1.7875%
- 1L. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Larry Wayne Plaster – Surface and All Minerals except Coal
1.05 acres 1.7875%

**CNX Gas Company LLC
Unit BD-122
Tract Identifications
(58.74 Acre Unit)**

- 1M. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Frances Plaster – Surface and All Minerals except Coal
0.16 acres 0.2724%**
- 1N. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Paul Newberry, et ux – Surface and All Minerals except Coal
1.21 acres 2.0599%**
- 1O. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Rosa Plaster, et al – Surface and All Minerals except Coal
0.24 acres 0.4086%**
- 1P. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Gerald T. Francis, et ux – Surface and All Minerals except Coal
0.73 acres 1.2428%**
- 1Q. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Carvel J. Vance, et al – Surface and All Minerals except Coal
0.54 acres 0.9193%**
- 1R. Swords Creek Land Partnership Tr. 27 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
John B. Farmer, et ux – Surface and All Minerals except Coal
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.03 acres 0.0511%**

CNX Gas Company LLC**Unit BD-122****Tract Identifications****(58.74 Acre Unit)**

- 1S. Swords Creek Land Partnership Tr. 27 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 Reserve Coal Properties Company - CBM Leased
 Home Securities Corporation OR Glenn Allen Hess, et ux
OR Riley G. Farmer Heirs – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased (If owned by Glenn Allen Hess, et ux)
 0.51 acres 0.8682%
- 1T. Swords Creek Land Partnership Tr. 27 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 Reserve Coal Properties Company - CBM Leased
 Ruben Sparks OR Commonwealth of Virginia – All Minerals except Coal
 Commonwealth of Virginia - Surface
 0.17 acres 0.2894%
- 1U. Swords Creek Land Partnership Tr. 27 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 Reserve Coal Properties Company - CBM Leased
 Madeline Mae Richardson – Surface and All Minerals except Coal
 0.20 acres 0.3405%
- 1V. Swords Creek Land Partnership Tr. 27 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 Reserve Coal Properties Company - CBM Leased
 Ruth Byrd, et al – Surface and All Minerals except Coal
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 2.74 acres 4.6646%
- 2A. Swords Creek Land Partnership Tr. 13 - Coal
 Reserve Coal Properties Company - Coal Below Tiller Seam Leased
 Knox Creek Coal Corporation - Tiller and Above Coal Leased
 Reserve Coal Properties Company - CBM Leased
 Ruth Byrd, et al. - Surface and All Minerals except Coal
 CNX Gas Company, LLC - Oil, Gas and CBM Leased
 3.86 acres 6.5713%

**CNX Gas Company LLC
Unit BD-122
Tract Identifications
(58.74 Acre Unit)**

- 2B. Swords Creek Land Partnership Tr. 13 - Coal
Reserve Coal Properties Company - Coal Below Tiller Seam Leased
Knox Creek Coal Corporation - Tiller and Above Coal Leased
Reserve Coal Properties Company - CBM Leased
Ruby G. Barton - Surface and All Minerals except Coal
0.24 acres 0.4086%

- 3. Ruth Byrd – Fee
CNX Gas Company LLC – Oil, Gas and CBM Leased
1.75 acres 2.9792%

- 4. Ruth Byrd, et al – Fee
CNX Gas Company LLC – Oil, Gas and CBM Leased
3.01 acres 5.1243%

Exhibit B-3
Unit BD-122
Docket #VGOB 04-1214-1366
List of Unleased Owners/Claimants
(58.74 Acre Unit)

BOOK 657 PAGE 0911

	Acres in Unit	Interest in Unit
II. OIL & GAS FEE OWNERSHIP		
<u>Tract #1E, 0.59 acres</u>		
(1) Amos Farmer, et ux. Rt.1 Box 309 Swords Creek, VA 24649	0.59 acres	1.0044%
<u>Tract #1I, 0.75 acres</u>		
(1) Delora Elkins, et al. c/o Delora Elkins & Eles J. Elkins Rt.1 Box 313 Swords Creek, VA 24649	0.75 acres	1.2768%
<u>Tract #1J, 0.24 acres</u>		
(1) Rosa Plaster, et al.	0.24 acres	0.4086%
(a) Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	<i>Life Estate</i>	
(b) Dorothy Thelma Dye c/o Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%
(c) Wilma Jean Keen P.O. Box 13 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%
<u>Tract #1K, 1.05 acres</u>		
(1) Lucinda Plaster <i>Address Unknown</i>	1.05 acres	1.7875%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.05 acres	1.7875%
<u>Tract #1L, 1.05 acres</u>		
(1) Larry Wayne Plaster 21550 Moon Light Bay Road Abingdon, VA 24211	1.05 acres	1.7875%
<u>Tract #1M, 0.16 acres</u>		
(1) Frances Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.16 acres	0.2724%

Exhibit B-3
Unit BD-122
Docket #VGOB 04-1214-1366
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1N, 1.21 acres</u>		
(1) Paul Newberry, et ux. Rt.1 Box 103 Swords Creek, VA 24649	1.21 acres	2.0599%
<u>Tract #1O, 0.24 acres</u>		
(1) Rosa Plaster, et al.	0.24 acres	0.4086%
(a) Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	<i>Life Estate</i>	
(b) Dorothy Thelma Dye c/o Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%
(c) Wilma Jean Keen P.O. Box 13 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%
<u>Tract #1P, 0.73 acres</u>		
(1) Gerald T. Francis, et ux. Rt.1 Box 310F Swords Creek, VA 24649	0.73 acres	1.2428%
<u>Tract #1Q, 0.54 acres</u>		
Carvel J. Vance, et al.	0.54 acres	0.9193%
(1) Carvel J. Vance Heirs, Devisees, Successors or Assigns		
(a) Lorraine Vance 66005 Thames Road Pinellas Park, FL 33782	0.1000 acres 5/27 of 0.54 acres	0.1702%
(b) Harvey Vance <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%
(c) Kenneth Vance <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%
(d) Daniel Vance <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%
(e) Leslie Vance <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%
(f) Jacqueline Hill <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%
(g) Linda Guill <i>Address Unknown</i>	0.0333 acres 5/81 of 0.54 acres	0.0567%

Exhibit B-3
Unit BD-122
Docket #VGOB 04-1214-1366
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(2) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.0300 acres 1/18 of 0.54 acres	0.0511%
(3) Trevert Vance Rt.1 Box 295 Swords Creek, VA 24649	0.0300 acres 1/18 of 0.54 acres	0.0511%
(4) Truedell Ringstaff 230 Bland Street North Tazewell, VA 24630	0.0300 acres 1/18 of 0.54 acres	0.0511%
(5) Dorothy Childress Rt.1 Box 295 Swords Creek, VA 24649	0.0300 acres 1/18 of 0.54 acres	0.0511%
(6) Ada Keen Heirs, Devisees, Successors or Assigns		
(a) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.0060 acres 1/90 of 0.54 acres	0.0102%
(b) Ruth Byrd P.O. Box 174 Doran, VA 24612	0.0060 acres 1/90 of 0.54 acres	0.0102%
(c) Virginia Spiva 328 Martin Court SE Marietta, GA 30060	0.0060 acres 1/90 of 0.54 acres	0.0102%
(d) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	0.0060 acres 1/90 of 0.54 acres	0.0102%
(e) Victoria Slate Heirs, Devisees, Successors or Assigns		
(e.1) Raymond P. Slate Rt.1 Box 192 Swords Creek, VA 24649	0.0015 acres 1/360 of 0.54 acres	0.0026%
(e.2) Jeffery W. Slate Rt.1 Box 299A1 Swords Creek, VA 24649	0.0015 acres 1/360 of 0.54 acres	0.0026%
(e.3) Sheliah Slate Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.0015 acres 1/360 of 0.54 acres	0.0026%
(e.4) Jackie Dale Slate 547 Ventura Circle Bristol, VA 24201	0.0015 acres 1/360 of 0.54 acres	0.0026%
(7) Clell Vance Heirs, Devisees, Successors or Assigns		

Exhibit B-3
Unit BD-122
Docket #VGOB 04-1214-1366
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(a) Teresa Charles <i>Address Unknown</i>	0.0100 acres 1/54 of 0.54 acres	0.0170%
(b) Shirley Honaker <i>Address Unknown</i>	0.0100 acres 1/54 of 0.54 acres	0.0170%
(c) Pamela Cole <i>Address Unknown</i>	0.0100 acres 1/54 of 0.54 acres	0.0170%
(8) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(a) James Michael Christian 103 Beverly Hills Drive North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%
(b) William Christian 5293 Wittens Mill Road North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%
(c) Joyce Christian Jarret 415 Beidlemen Road Bristol, TN 37620	0.0075 acres 1/72 of 0.54 acres	0.0128%
(d) Sue Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%
(9) Ershell Vance Heirs, Devisees, Successors or Assigns		
(a) Dorothy Vance P.O. Box 86 Jewell Ridge, VA 24622	0.0100 acres 1/54 of 0.54 acres	0.0170%
(b) Scott Edo Vance Heirs, Devisees, Successors or Assigns		
(b.1) Carolyn Vance <i>Address Unknown</i>	0.0100 acres 1/54 of 0.54 acres	0.0170%
(c) Ershell Vance, Jr. <i>Address Unknown</i>	0.0100 acres 1/54 of 0.54 acres	0.0170%
<u>Tract #1S, 0.51 acres</u>		
(1) Home Securities Corporation <i>Address Unknown</i>	0.51 acres	0.8682%
- OR -		
(1) Riley G. Farmer Heirs, Devisees, Successors or Assigns <i>Address Unknown</i>	0.51 acres	0.8682%

Exhibit B-3
Unit BD-122
Docket #VGOB 04-1214-1366
List of Unleased Owners/Claimants
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1T, 0.17 acres</u>		
(1) Ruben Sparks Address Unknown	0.17 acres	0.2894%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.17 acres	0.2894%
<u>Tract #1U, 0.20 acres</u>		
(1) Madeline Mae Richardson 213 Bevins Branch Pikesville, KY 41501	0.20 acres	0.3405%
<u>Tract #2B, 0.24 acres</u>		
(1) Ruby G. Barton c/o Gary Shelton 873 Bangorville Road Belville, OH 44813	0.24 acres	0.4086%

Exhibit E
Unit BD-122
Docket #VGOB 04-1214-1366
List of Conflicting Owners/Claimants that require escrow
(58.74 Acre Unit)

BOOK 657 PAGE 0916

	Acres in Unit	Interest in Unit
<u>Tract #1A, 20.25 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	20.25 acres	34.4740%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruth Byrd, et al.	20.25 acres	34.4740%
(b) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	4.050 acres 1/5 of 20.25 acres	6.8948%
(c) Raymond P. Slate Rt.1 Box 192 Swords Creek, VA 24649	2.025 acres 1/10 of 20.25 acres	3.4474%
(f) Daniel Tucker Rt.1 Box 314 Swords Creek, VA 24649	4.050 acres 1/5 of 20.25 acres	6.8948%
<u>Tract #1B, 7.74 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	7.74 acres	13.1767%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) John B. Farmer, et ux. Rt.1 Box 309 Swords Creek, VA 24649	7.74 acres	13.1767%
<u>Tract #1C, 3.79 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	3.79 acres	6.4522%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) John B. Farmer, et ux. Rt.1 Box 309 Swords Creek, VA 24649	3.79 acres	6.4522%

Exhibit E
Unit BD-122
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1D, 2.52 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	2.52 acres	4.2901%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Timothy Chafins, et ux. Rt.1 Box 311 Swords Creek, VA 24649	2.52 acres	4.2901%
<u>Tract #1E, 0.59 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.59 acres	1.0044%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Amos Farmer, et ux. Rt.1 Box 309 Swords Creek, VA 24649	0.59 acres	1.0044%
<u>Tract #1H, 0.81 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.81 acres	1.3790%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Daniel Tucker Rt.1 Box 314 Swords Creek, VA 24649	0.81 acres	1.3790%
<u>Tract #1I, 0.75 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.75 acres	1.2768%

Exhibit E
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	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Delora Elkins, et al. c/o Delora Elkins & Eles J. Elkins Rt.1 Box 313 Swords Creek, VA 24649	0.75 acres	1.2768%

Tract #1J, 0.24 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.24 acres	0.4086%
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OIL & GAS FEE OWNERSHIP

(1) Rosa Plaster, et al.	0.24 acres	0.4086%
(a) Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	<i>Life Estate</i>	
(b) Dorothy Thelma Dye c/o Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%

Tract #1K, 1.05 acres

Escrow due to title conflict

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	1.05 acres	1.7875%
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OIL & GAS FEE OWNERSHIP

(1) Lucinda Plaster <i>Address Unknown</i>	1.05 acres	1.7875%
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- OR -

(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	1.05 acres	1.7875%
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Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1L, 1.05 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	1.05 acres	1.7875%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Larry Wayne Plaster 21550 Moon Light Bay Road Abingdon, VA 24211	1.05 acres	1.7875%
<u>Tract #1M, 0.16 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.16 acres	0.2724%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Frances Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.16 acres	0.2724%
<u>Tract #1N, 1.21 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	1.21 acres	2.0599%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Paul Newberry, et ux. Rt.1 Box 103 Swords Creek, VA 24649	1.21 acres	2.0599%
<u>Tract #1O, 0.24 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.24 acres	0.4086%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Rosa Plaster, et al.	0.24 acres	0.4086%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(a) Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	<i>Life Estate</i>	
(b) Dorothy Thelma Dye c/o Rosa Plaster Rt.1 Box 311 Swords Creek, VA 24649	0.12 acres 1/2 of 0.24 acres	0.2043%

Tract #1P, 0.73 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.73 acres	1.2428%
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OIL & GAS FEE OWNERSHIP

(1) Gerald T. Francis, et ux. Rt.1 Box 310F Swords Creek, VA 24649	0.73 acres	1.2428%
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Tract #1Q, 0.54 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.54 acres	0.9193%
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OIL & GAS FEE OWNERSHIP

Carvel J. Vance, et al.	0.54 acres	0.9193%
(1) Carvel J. Vance Heirs, Devisees, Successors or Assigns		
(a) Lorraine Vance 66005 Thames Road Pinellas Park, FL 33782	0.1000 acres 5/27 of 0.54 acres	0.1702%
(b) Harvey Vance Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%
(c) Kenneth Vance Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%
(d) Daniel Vance Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%
(e) Leslie Vance Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(f) Jacqueline Hill Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%
(g) Linda Guill Address Unknown	0.0333 acres 5/81 of 0.54 acres	0.0567%
(2) Queen Jackson P.O. Box 94 Jewell Ridge, VA 24622	0.0300 acres 1/18 of 0.54 acres	0.0511%
(3) Trevert Vance Rt.1 Box 295 Swords Creek, VA 24649	0.0300 acres 1/18 of 0.54 acres	0.0511%
(4) Truedell Ringstaff 230 Bland Street North Tazewell, VA 24630	0.0300 acres 1/18 of 0.54 acres	0.0511%
(5) Dorothy Childress Rt.1 Box 295 Swords Creek, VA 24649	0.0300 acres 1/18 of 0.54 acres	0.0511%
(6) Ada Keen Heirs, Devisees, Successors or Assigns		
(d) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	0.0060 acres 1/90 of 0.54 acres	0.0102%
(e) Victoria Slate Heirs, Devisees, Successors or Assigns		
(e.1) Raymond P. Slate Rt.1 Box 192 Swords Creek, VA 24649	0.0015 acres 1/360 of 0.54 acres	0.0026%
(7) Clell Vance Heirs, Devisees, Successors or Assigns		
(a) Teresa Charles Address Unknown	0.0100 acres 1/54 of 0.54 acres	0.0170%
(b) Shirley Honaker Address Unknown	0.0100 acres 1/54 of 0.54 acres	0.0170%
(c) Pamela Cole Address Unknown	0.0100 acres 1/54 of 0.54 acres	0.0170%
(8) Elizabeth Christian Heirs, Devisees, Successors or Assigns		
(a) James Michael Christian 103 Beverly Hills Drive North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%

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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(b) William Christian 5293 Wittens Mill Road North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%
(c) Joyce Christian Jarret 415 Beidleman Road Bristol, TN 37620	0.0075 acres 1/72 of 0.54 acres	0.0128%
(d) Sue Tibbs 534 Carter Hill Road North Tazewell, VA 24630	0.0075 acres 1/72 of 0.54 acres	0.0128%
(9) Ershell Vance Heirs, Devisees, Successors or Assigns		
(a) Dorothy Vance P.O. Box 86 Jewell Ridge, VA 24622	0.0100 acres 1/54 of 0.54 acres	0.0170%
(b) Scott Edo Vance Heirs, Devisees, Successors or Assigns		
(b.1) Carolyn Vance Address Unknown	0.0100 acres 1/54 of 0.54 acres	0.0170%
(c) Ershell Vance, Jr. Address Unknown	0.0100 acres 1/54 of 0.54 acres	0.0170%

Tract #1R, 0.03 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.03 acres	0.0511%
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OIL & GAS FEE OWNERSHIP

(1) John B. Farmer, et ux. Rt.1 Box 309 Swords Creek, VA 24649	0.03 acres	0.0511%
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Tract #1S, 0.51 acres

Escrow due to title conflict

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.51 acres	0.8682%
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Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Home Securities Corporation Address Unknown	0.51 acres	0.8682%
- OR -		
(1) Glenn Allen Hess, et ux. c/o Amos Riley P.O. Box 432 Swords Creek, VA 24649	0.51 acres	0.8682%
- OR -		
(1) Riley G. Farmer Heirs, Devisees, Successors or Assigns Address Unknown	0.51 acres	0.8682%

Tract #1T, 0.17 acres

Escrow due to title conflict

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.17 acres	0.2894%
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OIL & GAS FEE OWNERSHIP

(1) Ruben Sparks Address Unknown	0.17 acres	0.2894%
- OR -		
(1) Commonwealth of Virginia Department of Transportation P.O. Box 1768 Bristol, VA 24203	0.17 acres	0.2894%

Tract #1U, 0.20 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.20 acres	0.3405%
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OIL & GAS FEE OWNERSHIP

(1) Madeline Mae Richardson 213 Bevins Branch Pikesville, KY 41501	0.20 acres	0.3405%
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Exhibit E
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(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1V, 2.74 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	2.74 acres	4.6646%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruth Byrd, et al.	2.74 acres	4.6646%
(b) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	0.548 acres 1/5 of 2.74 acres	0.9329%
(c) Raymond P. Slate Rt.1 Box 192 Swords Creek, VA 24649	0.274 acres 1/10 of 2.74 acres	0.4665%
(f) Daniel Tucker Rt.1 Box 314 Swords Creek, VA 24649	0.548 acres 1/5 of 2.74 acres	0.9329%
<u>Tract #2A, 3.86 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	3.86 acres	6.5713%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruth Byrd, et al.	3.86 acres	6.5713%
(b) Daniel L. Keen Rt.1 Box 68 Swords Creek, VA 24649	0.772 acres 1/5 of 3.86 acres	1.3143%
(c) Raymond P. Slate Rt.1 Box 192 Swords Creek, VA 24649	0.386 acres 1/10 of 3.86 acres	0.6571%
(f) Daniel Tucker Rt.1 Box 314 Swords Creek, VA 24649	0.772 acres 1/5 of 3.86 acres	1.3143%
<u>Tract #2B, 0.24 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	0.24 acres	0.4086%

Exhibit E
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(58.74 Acre Unit)

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	Acres In Unit	Interest In Unit
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruby G. Barton c/o Gary Shelton 873 Bangorville Road Belville, OH 44813	0.24 acres	0.4086%

Exhibit EE
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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1A, 20.25 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	20.25 acres	34.4740%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Ruth Byrd, et al.	20.25 acres	34.4740%
(a) Ruth Byrd P.O. Box 714 Doran, VA 24612	4.050 acres 1/5 of 20.25 acres	6.8948%
(d) Jeffery W. Slate RR Box 229A Swords Creek, VA 24649	2.025 acres 1/10 of 20.25 acres	3.4474%
(e) Virginia Spiva 328 Martin Court Marietta, GA 30060	4.050 acres 1/5 of 20.25 acres	6.8948%
<u>Tract #1J, 0.24 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.24 acres	0.4086%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Rosa Plaster, et al.	0.24 acres	0.4086%
(c) Wilma Jean Keen P.O. Box 13 Swords Creek, VA 24649	1.93 acres 1/2 of 0.24 acres	3.2857%
<u>Tract #1O, 0.24 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.24 acres	0.4086%
<u>OIL & GAS FEE OWNERSHIP</u>		
(1) Rosa Plaster, et al.	0.24 acres	0.4086%
(c) Wilma Jean Keen P.O. Box 13 Swords Creek, VA 24649	1.93 acres 1/2 of 0.24 acres	3.2857%

Exhibit EE
Unit BD-122
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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
<u>Tract #1Q, 0.54 acres</u>		
<u>COAL FEE OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	0.54 acres	0.9193%
<u>OIL & GAS FEE OWNERSHIP</u>		
Carvel J. Vance, et al.	0.54 acres	0.9193%
(6) Ada Keen Heirs, Devisees, Successors or Assigns		
(a) Alice Albert 152 Westfield Drive Rockingham, NC 28379	0.0060 acres 1/90 of 0.54 acres	0.0102%
(b) Ruth Byrd P.O. Box 174 Doran, VA 24612	0.0060 acres 1/90 of 0.54 acres	0.0102%
(c) Virginia Spiva 328 Martin Court SE Marietta, GA 30060	0.0060 acres 1/90 of 0.54 acres	0.0102%
(e) Victoria Slate Heirs, Devisees, Successors or Assigns		
(e.2) Jeffery W. Slate Rt.1 Box 299A1 Swords Creek, VA 24649	0.0015 acres 1/360 of 0.54 acres	0.0026%
(e.3) Sheliah Slate Lofton HC69 Box 1828 White Sulphur Springs, WV 24986	0.0015 acres 1/360 of 0.54 acres	0.0026%
(e.4) Jackie Dale Slate 547 Ventura Circle Bristol, VA 24201	0.0015 acres 1/360 of 0.54 acres	0.0026%

Tract #1V, 2.74 acres

COAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.27 P.O. Box 187 Tazewell, VA 24651	2.74 acres	4.6646%
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OIL & GAS FEE OWNERSHIP

(1) Ruth Byrd, et al.	2.74 acres	4.6646%
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Exhibit EE

Unit BD-122

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List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

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	Acres in Unit	Interest in Unit
(a) Ruth Byrd P.O. Box 714 Doran, VA 24612	0.548 acres 1/5 of 2.74 acres	0.9329%
(d) Jeffery W. Slate RR Box 229A Swords Creek, VA 24649	0.274 acres 1/10 of 2.74 acres	0.4665%
(e) Virginia Spiva 328 Martin Court Marietta, GA 30060	0.548 acres 1/5 of 2.74 acres	0.9329%

Tract #2A, 3.86 acresCOAL FEE OWNERSHIP

(1) Swords Creek Land Partnership, Tr.13 P.O. Box 187 Tazewell, VA 24651	3.86 acres	6.5713%
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OIL & GAS FEE OWNERSHIP

(1) Ruth Byrd, et al.	3.86 acres	6.5713%
(a) Ruth Byrd P.O. Box 714 Doran, VA 24612	0.772 acres 1/5 of 3.86 acres	1.3143%
(d) Jeffery W. Slate RR Box 229A Swords Creek, VA 24649	0.386 acres 1/10 of 3.86 acres	0.6571%
(e) Virginia Spiva 328 Martin Court Marietta, GA 30060	0.772 acres 1/5 of 3.86 acres	1.3143%

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF RUSSELL COUNTY, 8-16 2006. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 11:39 o'clock AM, after payment of \$ tax imposed by Sec. 58.1-802.

Original returned this date to: Diane Davis

TESTE: DOLLIE M. COMPTON, CLERK
BY: Garrie Raloff D. CLERK

0602659